

REMARKS

Applicant has considered the outstanding official action. It is respectfully submitted that all the claims are directed to patentable subject matter and are in condition for allowance as set forth below.

Claims 99 and 100 are rejected under 35 U.S.C. §112, first paragraph. Applicant has amended the claims to clarify the language in accordance with the Examiner's suggestion. Withdrawal of the rejection is respectfully requested.

Claims 68, 82, 94, 99 and 100 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended the claims in accordance with the Examiner's suggestions. Withdrawal of the rejection is respectfully requested.

Claims 92, 93 and 95-98 are stated to be allowed.

Claims 55, 56/55, 58/55, 59-61, and 72/56 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicant has amended these claims to include all of the limitations of the base claim and any intervening claim.

Claim 55 has been placed in independent form. Claim 56 has been amended to be dependent only on claim 55 and claim 56/54 has been rewritten as claim 101. Claim 58 is now dependent only on claim 55. Claim 58/54 has been rewritten as claim 103. Claim 59 has been rewritten in independent form. Claim 60 is now dependent on claim 59. Claim 68 has been rewritten in independent form. Claim 72 is dependent on claim 56. New claim 102 is the same as claim 72 but dependent on claim 101. As such, claims 55, 56, 58, 59-61 and 72 are now in condition for allowance. Formal allowance is respectfully requested.

Claims 68, 82, 94, 99 and 100 are stated to be allowable if rewritten to overcome the §112 rejections. As set forth above, the claims have been amended to overcome the §112 rejections. Formal allowance is requested.

Claims 50, 51, 54, 56/54, 63, 64, 67, 70, 71, 72/54, 78, 79, 84, 89, 90 and 91 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,672,950 (Murphy).

Initially, it is noted that the claims have been amended to clarify what applicant is claiming as the invention. Claim 50 and the claims dependent directly and indirectly thereon are directed to the embodiments shown in Figures 6-14. Claim 89 and the claims dependent directly

and indirectly thereon are directed to the embodiments shown in Figures 1-5.

In asserting anticipation of the claimed invention under 35 U.S.C. §102(b), the Examiner relies on Murphy asserting that the claimed "first layer" corresponds to layer 9 and that this layer is twice embossed, i.e., between rollers 18 and 19 and rollers 28 and 29 and that the other layer, layer 10, is provided with glue by gluing roller 27 when the two layers are laminated together. The protuberances produced by roller 30 on layer 9 partially receive glue thereon by transference of glue from layer 10 to layer 9. Applicant respectfully submits in response that Murphy fails to teach each and every element of the claimed invention.

More specifically, in the claimed invention of claims 50 and 89 the protuberances of the second set are higher than the protuberances of the first set. They also protrude from the same side of the first layer. This is distinct from Murphy. In applicant's claimed invention, the adhesive is applied to protuberances of the second set of protuberances before the first and second layers are coupled together. Referring, for example, to Figure 6, first layer V1 is embossed to provide first protrusions between rollers 301 and 302. V1 is then further embossed to provide the second set of protuberances by roller 309. While still on

the surface of roller 309, i.e., with protrusions 309P engaged in embossed protrusions P5 of layer V1, adhesive is applied on at least some of protrusions P5. Only afterwards is layer V1 coupled with layer V2 between rollers 309 and 313. Further, for example, as to the embodiment of Figure 1, three sets of protuberances are present, P2, P4 and P6. Applying adhesive to the top of a third set of protuberances is clearly distinct since Murphy only teaches providing glue to a second set. Claims 50 and 89 have each been amended to clarify what is being claimed as the invention.

Applicant respectfully submits that Murphy does not teach each and every element of the claimed invention and, thus, fails to anticipate the claimed invention within the meaning of 35 U.S.C. §102. Withdrawal of the §102 rejection is respectfully requested.

Claims 58, 73 and 75 are rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy in view of U.S. Patent No. 5,173,351 (Ruppel) and/or WO 97/44528 (Barnholtz). Claims 58, 73 and 75 are dependent claims.

Applicant respectfully submits that Murphy, Ruppel and Barnholtz, alone or in combination, fail to teach or suggest the claimed invention. Murphy does not teach the claimed invention as set forth above. Ruppel and/or Barnholtz do not overcome the deficiencies of Murphy. The secondary references of Ruppel and Barnholtz are only relied

on for teaching limitations of the dependent claims. Thus, the secondary references do not make up for the shortcomings of the primary reference Murphy. No suggestion is provided by the applied references to modify Murphy or the other references in such a way as to obtain the claimed invention. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 62, 69, 77, 80-81, 86 and 87 are rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy in view of U.S. Patent No. 3,867,225 (Nystrand). Claims 62, 69, 77, 80-81, 86 and 87 are dependent claims.

Applicant submits that Murphy and Nystrand, alone or in combination, fail to teach or suggest the claimed invention. As set forth above, Murphy fails to teach the claimed invention. Nystrand does not overcome the deficiencies of Murphy. The secondary reference Nystrand is relied on for teaching limitations of the dependent claims. Thus, Nystrand does not make up for the shortcomings of the primary reference Murphy. No suggestion is provided by the applied references to modify Murphy or Nystrand so as to obtain the claimed invention. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claim 88 is rejected under 35 U.S.C. §103 over Murphy in view of U.S. Patent No. 3,694,300 (Small) and/or Barnholtz.

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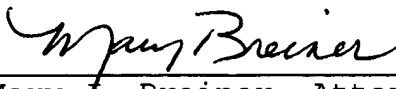
Murphy does not teach the claimed invention as set forth above and further provides no suggestion for modification thereof to obtain the claimed invention. Claim 88 has been amended to clarify that the adhesive is applied prior to the claimed first layer being coupled to the claimed second layer. Each of Small and Barnholtz are relied on as to teaching first embossing layers and subsequent joining of such layers. Such teaching does not make up for the shortcomings of the primary reference Murphy as discussed above. Neither teach the claimed combination of two sets of protuberances structured and having adhesion applied thereto as claimed.

Accordingly, the combination of Murphy, Small and Barnholtz does not render the claimed invention obvious within the meaning of §103. Withdrawal of the §103 rejection is respectfully requested.

Reconsideration and allowance of all the claims are respectfully urged.

Respectfully submitted,

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